

IMPACT STATEMENT

Legislation title: Amend Intergovernmental Agreement between TriMet and the City for the Division Transit Project for Design and Construction Services (Ordinance; Amend Contract No. 30006859)

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Purpose of proposed legislation and background information:

- This ordinance will authorize an Intergovernmental Agreement (IGA) between the City of Portland and TriMet for Design and Construction Services for the Division Transit Project. As laid out in the IGA, except as otherwise provided therein, TriMet shall design, construct, operate, and pay all costs for the Project, in accordance with the Project's funding arrangements. PBOT shall provide staffing oversight and staffing services as laid out in Article III and Article IV of the IGA.
- As is customary for major transit projects constructed in the City of Portland, TriMet contracts with the City for staff services related to design, construction, and close-out phases of the project. The Intergovernmental Agreement (IGA) details provisions of services by the City, compensation, betterments, relocations, project management, and TriMet obligations.
- The Division Transit Project Design and Construction Services IGA is being amended for the second time to reflect work required in the right-of-way and additional services required to be provided by City staff
- This is a routine business request to execute an amendment to an existing IGA. There are no known parties who would be interested in or object to this action. It makes no changes to City policies.

Financial and budgetary impacts:

- As allowed for in Article IV of the IGA, to account for development and refinements in services provided by the City, when the original IGA was adopted in April 2019, the Parties intended to amend the agreement at the start of the construction phase and as required once the construction program was updated to capture changes.
- This IGA amendment authorizes the staffing plan cost estimates as provided by the city to not exceed six million one hundred sixty-eight thousand, seven hundred forty-three dollars (\$6,168,743). This has been increased from \$5,165,159 and has been approved by the TriMet Board of Directors.
- This project is included in PBOT's FY 2021-22 Capital Budget under project number T00465, Division Bus Rapid Transit, SE (also known as Powell-Division High Capacity Transit). The total budget of the project is \$19,582,384 (low confidence estimate) with funding sources from Tri-Met, System Development Charges and General Transportation Revenue.
- No adjustments to appropriation are requested as a part of this ordinance.

Community impacts and community involvement:

- Improving safety and convenience for transit riders has long been a priority on SE Division Street. The elements included in this project have undergone extensive public involvement and outreach, including meetings with East Portland Action Plan (EPAP) and Division-Midway Alliance Neighborhood Prosperity Initiative (NPI), Asian Pacific American Network of Oregon (APANO) and Organizing People/Activating Leaders (OPAL) Environmental Justice Oregon. Early outreach culminated in a Locally Preferred Alternative (LPA) being adopted by council in December 2017 (Resolution 37291). In December 2019, City Council approved the Building Healthy Connected Communities Along the Division Transit Corridor Report (Resolution 37471) with the recommended actions. Public outreach and community involvement for this project has continued and will continue through the construction phase, overseen by TriMet as laid out in Article II of the IGA.

Budgetary Impact Worksheet

Does this action change appropriations?

- ☐ **YES:** Please complete the information below.
- ☒ **NO:** Skip this section

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